



09-10-03

#1 DAC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
DENNIS P. CURRAN ET AL.)
)
Serial No. 09/602,105)
)
Filed: June 22, 2000)
)
Art Unit: 1621)
)
Examiner: P. Nazario Gonzalez)
)
Attorney Docket No. 00-012)

FLUOROUS TIN COMPOUNDS AND
METHODS OF USING FLUOROUS TIN
COMPOUNDS

RECEIVED

SEP 11 2003

Pittsburgh, Pennsylvania 15219 OFFICE OF PETITIONS

September 9, 2003

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir: _____

EXPRESS MAIL LABEL NO. EL903358803US

<p>CERTIFICATE OF EXPRESS MAILING</p> <p>I hereby certify that this correspondence and any document referred to as enclosed herewith are being deposited with the United States Postal Service in an envelope as United States Express Mail addressed to Mail Stop ISSUE FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450</p> <p>EL903358803US Mailing Label No.</p> <p><i>Henry E. Bartony, Jr.</i></p> <p>Henry E. Bartony, Jr., Registration No 34, 772</p> <p>September 9, 2003 Dated</p>

PETITION TO WITHDRAW ERRONEOUS NOTICE OF ABANDONMENT OR
IN THE ALTERNATIVE PETITION FOR REVIVAL OF AN APPLICATION
FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

The undersigned attorney for Applicant received on July 9, 2003 a Notice of Abandonment in the above-identified case (a copy of which is included herewith) indicating that Applicant failed to timely pay the required issue fee within the statutory

time period of three months in the above-identified case. However, on May 27, 2003, within the statutory time period of three months from the issue fee dated February 25, 2003 (May 25, 2003 was a Saturday) the undersigned attorney for Applicant sent to the Commissioner for Patents by US First Class Mail (with appropriate Certificates of Mailing) the following:

Request for Continued Examination Transmittal ("RCE", in Duplicate)

Information Disclosure Statement (in Duplicate)

Form PTO/SB/08A

Form PTO/SB/08B

Copies of listed references

Receipt Acknowledgement Postcard

Copies of the above documents accompany this PETITION TO WITHDRAW ERRONEOUS NOTICE OF ABANDONMENT OR IN THE ALTERNATIVE PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b). A copy of the Receipt Acknowledgement Postcard date stamped by the United States Patent and Trademark Office is also enclosed herewith. Furthermore, Applicants have enclosed herewith a copy of the Deposit Account Statement for Bartony & Hare, LLP for June of 2003, indicating that the USPTO charged the filing fee for the RCE to that deposit account.

9-11 In light of Applicants' timely response to the Office Action dated April 26, 2001, Applicants respectfully request that the erroneous Notice of Abandonment be withdrawn, that the above-identified documents be entered in this application, and that the Examiner indicate the allowability of the claims and arrange for an official Notice of Allowance to be issued in due course.

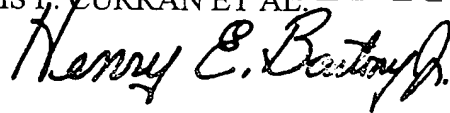
In the alternative, if for any reason the RCE timely filed on May 27, 2003 is deemed to be defective or non-responsive in any manner, please consider this a PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b). In that regard, the entire delay in filing the required reply from the due date for the required reply until the filing of a

grantable petition under 37 CFR 1.137(b) was unintentional. Please consider the RCE and accompanying documents enclosed herewith to be a reply to the Notice of Allowance dated February 25, 2003 and enter that RCE. Should a Petition for Revival be deemed necessary, the Commissioner for Patents is hereby authorized to charge the fee associated with the Petition to Revival and the Issue Fee associated with the Notice of Allowance dated February 25, 2003 to Deposit Account 02-1025. A duplicate copy of this PETITION TO WITHDRAW ERRONEOUS NOTICE OF ABANDONMENT OR IN THE ALTERNATIVE PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b) is enclosed herewith.

Once again, however, Applicants respectfully assert that the Notice of Abandonment dated July 9, 2003 is erroneous in light of Applicants' timely filing of an RCE on May 27, 2003. Thus, no revival should be necessary in this case, and the erroneous Notice of Abandonment should be withdrawn as set forth above.

Respectfully submitted,

DENNIS P. CURRAN ET AL.



By

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